

PLANNING AND ZONING COMMISSION

March 9, 2015

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., March 9, 2015, at Kearney City Hall with Kathy Whipple presiding. Other members present were Doyle Riley, Chuck Davis, Darren Hiley, Kent Porter and Dan Holt. Eric Shumate was absent. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

➤ Minutes of the January 12, 2015 and February 11, 2015 meeting

A motion was made by Dan Holt and seconded by Chuck Davis to move 5B to 6E and approve the Consent Agenda as presented. The motion carried unanimously.

PUBLIC HEARING

CENTERVILLE COTTAGES – REZONING TO R-P-3 Staff presented an application from Centerville Cottages, represented by Scott Puffer for rezoning with a concept plan, proposing to rezone approximately 7.5 acres from R-1 Single Family Residential District to R-P-3 Medium-Density Residential Planned District. The site is located adjacent to the West side of the Shadowbrook Subdivision (approximately 11th Street) and adjacent to the South side of the Shoppes at Kearney development.

The proposed rezoning would allow for construction of a 48-unit senior housing project, consisting of 12 4-plex buildings with a clubhouse/office, parking, detention and outside trail/sidewalk improvements. All units will have two bedrooms.

The floor was opened to the public.

There being no comments from the public, the floor was closed.

Darren Hiley asked about the dates of the public notice. Staff said it was run in the Kearney Courier February 26th and March 6th.

Kent Porter asked what the current zoning was. Staff said it is R-1 at this time.

Dan Holt asked if this property will be rezoned piece by piece. Staff said that would probably be correct.

Kent Porter asked if the road thru the project was a private road. Staff said yes. They will maintain that road.

CENTERVILLE COTTAGES – REZONING TO R-P-3-CONT Kent Porter said we need a plan to get people out of Shadowbrook to Watson Drive. He said as this area develops we need to require that Shadowbrook Drive connects to Watson Drive.

Kent Porter asked if the water detention connects to where the water is currently going. Staff said that is correct.

Robert Walquist, Quist Engineering, said the area next to the gazebo and club house is just a green area and will drain to the detention pond. He said there could be a small amount of backup that would reach behind the gazebo.

Doyle Riley asked if the signage is just a monument sign with no lights. Staff said that is correct.

Darren Hiley asked if 11th Terrace would dead in to this project. He said maybe we can have Shadowbrook Drive connect to Watson Drive in the new Comp Plan.

Scott Puffer, Centerville Cottages, said they have spoke with Gary Shanks about the road connecting to Watson Drive. He said they have an easement with Mr. Shanks to have the road on his property. He will probably sell that property for commercial development and need that roadway.

A motion was made by Doyle Riley and seconded by Darren Hiley to recommend to the Board of Aldermen to approve the application from Centerville Cottages for rezoning with a concept plan, proposing to rezone approximately 7.5 acres from R-1 Single Family Residential District to R-P-3 Medium-Density Residential Planned District contingent upon meeting all Staff comments. The motion carried unanimously.

NEW BUSINESS

CENTERVILLE COTTAGES – PRELIMINARY PLAT/SITE PLAN Staff presented an application from Centerville Cottages, represented by Scott Puffer, for a preliminary plat/site plan application, proposing to construct a 48-unit senior housing project, consisting of 12 4-plex buildings with a clubhouse/office, parking, detention and outside trail/sidewalk improvements. All units will have two bedrooms. The site is located adjacent to the West side of the Shadowbrook Subdivision (approximately 11th Street) and adjacent to the South side of the Shoppes at Kearney Development.

The building elevations include a combination of lap siding with a brick wainscot and stone columns at the entrances. A clubhouse, similar in design to the residential buildings, will be constructed along the West side of the project.

Staff said the main access drive is located at the Northwest corner of the site and will connect to Watson Drive extension. A separate off-site access easement is required, as the east-west connection to Watson Drive will be on property retained by Gary Shanks.

CENTERVILLE COTTAGES – PRELIMINARY PLAT/SITE PLAN A secondary access is located at the southeast corner of the site, connecting to West 11th Street in Shadowbrook.

A motion was made by Darren Hiley and seconded by Dan Holt to recommend to the Board of Aldermen to approve the application from Centerville Cottages for a preliminary plat/site plan application, proposing to construct a 48-unit senior housing project, consisting of 12 4-plex buildings with a clubhouse/office, parking, detention and outside trail/sidewalk improvements, contingent upon meeting all Staff comments. The motion carried unanimously.

CENTERVILLE COTTAGES – FINAL PLAT Staff presented an application from Centerville Cottages, represented by Scott Puffer, for Centerville Cottages First Plat Final Plat, which is a one lot subdivision consisting of approximately 7.5 acres. The site is located adjacent to the West side of the Shadowbrook Subdivision (approximately 11th Street) and adjacent to the South side of Shoppes at Kearney Development.

Kathy Whipple asked how this would be addressed since the road thru the project is a private road. Staff said it would be addressed off Watson Drive and the buildings would have a number system to them.

Dan Holt asked if each apartment would have its own water meter. Scott Puffer said they would each have their own meter.

A motion was made by Dan Holt and seconded by Doyle Riley to recommend to the Board of Aldermen to approve the application from Centerville Cottages, represented by Scott Puffer, for Centerville Cottages First Plat Final Plat, which is a one lot subdivision consisting of approximately 7.5 acres, contingent upon meeting all Staff comments. The motion carried unanimously.

SHOPPES AT KEARNEY – MINOR SUBDIVISION LOT 2 (FOR BUILDING H)

Staff presented an application from Star Acquisitions for “Shoppes at Kearney First Plat Replat of Lot 2” minor subdivision, which proposed to subdivide Lot 2 in the Shoppes at Kearney into two lots. Original Lot 2 includes all of the Shoppes West of Price Chopper and Southeast of Watson Drive. Proposed Lot 2A includes the Building H property. Proposed Lot 2B includes two separate future buildings and could be split again at some point in the future. The replat drawing is consistent with the original Shoppes Plat, with only the addition of the proposed lot line.

Subdivisions involving no more than 4 lots, have existing road frontage and do not include dedication of right-of-way, easements or extension of public improvements can be reviewed as a minor subdivision. This doesn't have to go to the Board of Aldermen.

Darren Hiley said when we approved building H we requested that additional parking be put in to meet the parking requirements at the present time. He asked if it would be part

SHOPPES AT KEARNEY – MINOR SUBDIVISION LOT 2 (FOR BUILDING H)

of Lot 2B. Ron Cowger, representing Star Acquisitions, said they all share covenants and that parking area would be part of this permit.

Kent Porter asked why this wasn't done before. Ron Cowger said it is a transfer from Star Development to Star Acquisitions.

Chuck Davis said he has a hard time approving anything until the issues at the entrance to the Shoppes at Kearney are settled with Mr. Brannlund. Ron Cowger said there has been a resolution drawn up between all parties involved and should settle that issue.

Originally there was a fifteen foot easement and a seven and one half foot construction easement. The construction easement didn't allow anything to be built in that area and it prevented them from being able to correctly build the wall. This resolution allows them to build within that seven and one half foot easement.

Darren Hiley asked what the wall will be made of. Ron Cowger said he wasn't positive of the material but it would be a concrete project with a type of stack block.

Dan Holt said he has been in on several of the conversations in regard to the wall and everyone is trying to work on this and get it resolved.

A motion was made by Darren Hiley and seconded by Doyle Riley to approve the application from Star Acquisitions for "Shoppes at Kearney First Plat Replat of Lot 2" minor subdivision, which proposed to subdivide Lot 2 in the Shoppes at Kearney into two lots contingent upon meeting all Staff comments. The motion carried unanimously.

SHOPPES AT KEARNEY – MINOR SUBDIVISION OF LOT 3 Staff presented an application from Star Acquisitions for "Shoppes at Kearney First Plat Replat of Lot 3" minor subdivision, which proposes to subdivide Lot 3 in the Shoppes at Kearney into two lots. Originally Lot 3 included all of the Shoppes northwest of Watson Drive and South of the creek.

The application was submitted in anticipation of a future site plan submittal for Lot 3A. Proposed Lot 3B includes three separate building sites and will likely be split again in the future.

Ron Cowger said part of the condition of the sale of this lot depends on the lot split happening. He said this piece of property won't be owned by Star Acquisitions or Star Development.

Dan Holt said there was talk originally of Lot 3 being a hotel and he wondered if that would still happen. Mr. Cowger said that was the original plan and could still happen.

A motion was made by Darren Hiley and seconded by Doyle Riley to approve the application from Star Acquisitions for "Shoppes at Kearney First Plat Replat of Lot 3" minor subdivision, which proposes to subdivide Lot 3 in the Shoppes at Kearney into two

SHOPPES AT KEARNEY – MINOR SUBDIVISION OF LOT 3 lots, contingent upon meeting all Staff comments. The motion carried unanimously.

PUBLIC HEARING

CODE AMENDMENT – COMMERCIAL LOT SPLIT PROCEDURE Staff said a lot split or minor subdivision is defined as a subdivision of land that contains no more than four lots, each of which have frontage on existing streets, not involving any new street or road or the extension of municipal facilities or the creation of any public improvements and not adversely affecting development of the remainder of the parcel or adjoining property and not in conflict with any provision of the zoning ordinance or otherwise within these regulations.

The subdivision ordinance currently requires minor subdivisions be submitted to the Planning and Zoning Commission for review. Aldermen review is not required.

Staff presented a proposed amendment, in the form of a draft ordinance for the Commission’s consideration. The proposed amendment would streamline the review process for lot splits/minor subdivisions by allowing the Community Development Department to approve such applications. Any appeals would still be forwarded to the Planning and Zoning Commission.

The floor was opened to the public.

There being no comments from the public, the floor was closed.

Kent Porter said he wanted to make sure he understood correctly that there would still be an appeal process if they were unhappy. Staff said that is correct.

A motion was made by Doyle Riley and seconded by Darren Hiley to recommend to the Board of Aldermen to approve an ordinance amendment that would streamline the review process for lot splits/minor subdivisions by allowing the Community Development Department to approve such applications. The motion carried unanimously.

INFORMATION AND DISCUSSION

COMPREHENSIVE PLAN UPDATE Staff reported that the RFQ Review Committee selected Vireo as the most qualified firm for our Comprehensive Plan update. Patty Banks is part of this company and they have done Liberty and Smithville.

ADJOURNMENT There being no further business on the agenda, a motion was made by Kent Porter and seconded by Dan Holt to adjourn. The motion carried unanimously.

Approved: _____ **Attest:** _____
Kathy Whipple, Chairperson **Darren Hiley, Secretary**